

PB# 03-04

**Minuteman Restaurant
Supply**

68-2-9 & 10

TOWN OF NEW WINDSOR
PLANNING BOARD

APPROVED COPY

DATE: 12-15-03



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

19 March 2003

**SUBJECT: MINUTEMAN RESTAURANT SUPPLY & RENTALS SITE PLAN
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
(NWPB REF. NO. 03-04)**

To all Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an application for Site Plan approval of the subject project, located at 179 Temple Hill Road (NYS Rt. 300) within the Town. The project involves, in general, the construction of 9491 s.f. of rental space adjoining the existing restaurant. The Board, in its initial review of the project, indicated a preference that an additional access be provided to the site. This access is now shown on the north limit of the site. A permit will be required from the NYSDOT. It is the opinion of the Town of New Windsor Planning Board that the action is an Unlisted Action under SEQRA. This letter is written as a request for Lead Agency Coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA review process, sent to the Planning Board at the above address, attention of Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved agency desire the Lead Agency position; it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a written response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position. Thank you for your attention to this matter. Should you have any questions regarding this notice, please feel free to contact the undersigned at the above number or (845) 567-3100.

Very truly yours,

Mark J. Edsall, P.E., P.P.

Mark J. Edsall, P.E., P.P.
Planning Board Engineer

NYS Department of Transportation, Poughkeepsie
George J. Meyers, Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Myra Mason, Planning Board Secretary ✓
Planning Board Attorney (w/o encl)
Applicant (w/o encl)

MINUTEMAN

MR. EDSALL: Second item just so you're aware of it, Mike and I were at the Minuteman site today and he ran into some elevation difficulties, we're working with him, you may have noticed that the addition building is a bit lower than the main building.

MR. LANDER: How did that happen?

MR. EDSALL: Well, we brought that up.

MR. BABCOCK: Transit wasn't right.

MR. ARGENIO: Is it a mistake, Mark?

MR. EDSALL: I think it was.

MR. BABCOCK: Partially.

MR. EDSALL: I think it was in the construction phase that the error occurred, but I don't know that it was an error, I think it might have been just when he began to look at the amount of fill and coordination with the grades behind it just didn't happen but we're working with him because we're not a hundred percent pleased with the transition in the front.

MR. ARGENIO: It's quite steep.

MR. PETRO: The wall too.

MR. EDSALL: We're working with him, he's asked for his first C.O. that doesn't look to be a problem because he's got all the site work in, just the transition we have to work with him on.

MR. ARGENIO: So the plans say, pull a number out of the air, finish floor elevation of 100, what's the finish floor at?

MR. EDSALL: I think there's about a three or four foot difference but we're--

MR. BABCOCK: Actually, there's a lot of discrepancies.

MR. EDSALL: The plans didn't help things, there was some, Mike is advising they ran into some discrepancies.

MR. BABCOCK: There's different numbers on the plan all over the place that--

MR. EDSALL: The third item is not important for tonight.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/13/2004

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189

APPLICANT: GUALTIERE, CLARENCE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/15/2003	PLANS STAMPED	APPROVED
05/14/2003	P.B. APPEARANCE . COMBINE LOTS - SUBMIT COST ESTIMATE - ADDRESS MARK'S . COMMENTS	APPR CONDITION
04/23/2003	P.B. APPEARANCE - PUBLIC HEA . LOTS TO BE COMBINED - NEED D.O.T. APPROVAL FOR SECOND ACCESS . RETURN TO BOARD WITH D.O.T. APPROVAL	LA:ND CLOSE PH
03/12/2003	P.B. APPEARANCE . AUTHORIZED LEAD AGENCY COORDINATION LETTER - SCHEDULE PH	COMBINE LOTS - RETUR
02/19/2003	WORK SHOP APPEARANCE	SUBMIT
01/15/2003	WORK SHOP APPEARANCE	REVISE & RET TO WS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/13/2004

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LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189
APPLICANT: GUALTIERE, CLARENCE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	03/10/2003	MUNICIPAL HIGHWAY	03/10/2003	APPROVED
ORIG	03/10/2003	MUNICIPAL WATER	03/12/2002	APPROVED
ORIG	03/10/2003	MUNICIPAL SEWER . NO UTILITY DETAIL	04/22/2003	DISAPPROVED
ORIG	03/10/2003	MUNICIPAL FIRE	03/10/2003	APPROVED
ORIG	03/10/2003	NYS DOT	05/13/2003	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 01/13/2004

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189
APPLICANT: GUALTIERE, CLARENCE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	03/10/2003	EAF SUBMITTED	03/10/2003	WITH APPLIC
ORIG	03/10/2003	CIRCULATE TO INVOLVED AGENCIES . AUTHORIZED LETTER AT 3/12/03	03/12/2003	AUTHORIZE LETR MEETING
ORIG	03/10/2003	LEAD AGENCY DECLARED	04/23/2003	TOOK LA
ORIG	03/10/2003	DECLARATION (POS/NEG)	04/23/2003	DECL NEG DEC
ORIG	03/10/2003	SCHEDULE PUBLIC HEARING	03/12/2003	SCHED PH
ORIG	03/10/2003	PUBLIC HEARING HELD	04/23/2003	CLOSED PH
ORIG	03/10/2003	WAIVE PUBLIC HEARING	/	/
ORIG	03/10/2003	PRELIMINARY APPROVAL	/	/
ORIG	03/10/2003		/	/



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

□ **Main Office**
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhepc.com

□ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

MEMORANDUM TO FILE
11 December 2003

TO: FILE

FROM: MARK J. EDSALL, P.E., PRINCIPAL

**SUBJECT: FIELD REVIEW – MINUTEMEN SITE PLAN
NEW WINDSOR P.B. FILE NO. 03-04**

On the morning of 10 Dec 03 a joint field review was held by the undersigned and Mike Babcock in response to a request for the first C of O for the site. We met with Cleo at the site.

In general, the site appears in general conformance with the layout on the plan, with the exception of the grades and the handicapped ramp (parking lot to sidewalk). The pad for the new building is significantly lower than the existing building, which leads to a grade transition problem. Mike indicated he would advise Cleo of our concern and tell him this must be worked on as soon as possible in the spring. Otherwise, the site work is substantially done, and we agreed (Mike and I) that it is adequate if for the issuance of the first C of O. Cleo was advised that the ramp must be in before the C of O can be issued. Follow up reviews will be made after the winter.

*** * * * ***

At the regular planning board meeting of 12-10-03 (at the end of the meeting) we advised the planning board of the above. The board members also noted their concerns about the grade difference. We explained that some plan inaccuracies, and maybe just a desire to place less fill, apparently caused the change. They agreed Cleo must improve the situation in the spring.

cc: Mike Babcock

NW03-04-Field Memo 121103
MJE/st/lt

ACORD INSURANCE BINDER

CSR CP

DATE
12/08/03

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

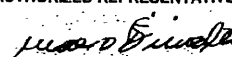
PRODUCER Marshall & Sterling, Inc. 103 Executive Drive, Suite 300 New Windsor NY 12553-5531 Edward H Kipp	PHONE (A/C, No, Ext): 845-567-1000 845-567-1030	COMPANY National Grange Mutual	BINDER # 17116
CODE: 310348	SUB CODE:	DATE EFFECTIVE 12/08/03	TIME 12:01 PM
AGENCY CUSTOMER ID: JAYBI-1	INSURED Jaybird & Partners, Inc PO Box 157 Vails Gate NY 12584	EXPIRATION DATE 02/08/04	
		THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #:	
		DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location) Location: 1 Building: 1	

COVERAGES

LIMITS

TYPE OF INSURANCE	COVERAGE/FORMS	DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input checked="" type="checkbox"/> SPEC	BUILDING	1000	100	\$900,000
GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE		\$2000000
		FIRE DAMAGE (Any one fire)		\$300000
		MED EXP (Any one person)		\$10000
		PERSONAL & ADV INJURY		\$2000000
		GENERAL AGGREGATE		\$4000000
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		PRODUCTS - COMP/OP AGG		\$4000000
AUTO PHYSICAL DAMAGE DEDUCTIBLE <input type="checkbox"/> COLLISION: <input type="checkbox"/> OTHER THAN COL:	<input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES	COMBINED SINGLE LIMIT		\$
		BODILY INJURY (Per person)		\$
		BODILY INJURY (Per accident)		\$
		PROPERTY DAMAGE		\$
		MEDICAL PAYMENTS		\$
		PERSONAL INJURY PROT		\$
		UNINSURED MOTORIST		\$
				\$
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		ACTUAL CASH VALUE		
		STATED AMOUNT		\$
		OTHER		
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	RETRO DATE FOR CLAIMS MADE:	AUTO ONLY - EA ACCIDENT		\$
		OTHER THAN AUTO ONLY:		
		EACH ACCIDENT		\$
		AGGREGATE		\$
		EACH OCCURRENCE		\$
		AGGREGATE		\$
		SELF-INSURED RETENTION		\$
		WC STATUTORY LIMITS		
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		E.L. EACH ACCIDENT		\$
		E.L. DISEASE - EA EMPLOYEE		\$
		E.L. DISEASE - POLICY LIMIT		\$
SPECIAL CONDITIONS/ OTHER COVERAGES		FEES		\$
		TAXES		\$
		ESTIMATED TOTAL PREMIUM		\$

NAME & ADDRESS

UNION-1 Union State Bank 100 Dutch Hill Road Orangeburg NY 10962	<input checked="" type="checkbox"/> MORTGAGEE	ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
	LOAN #	
AUTHORIZED REPRESENTATIVE 		

Bargain and Sale Deed with Covenant against Grantor's Acts
Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT

THIS INDENTURE, made the 1st day of October, 2003

BETWEEN CLARENCE GUALTIERI and LORRAINE GUALTIERI, residing at 179 Temple Hill Road, New Windsor, New York 12553

party of the first part, and **JAY BIRD & PARTNERS, INC., a New York Corporation**, with a mailing address of P.O. Box 157, Vails Gate, New York 12584

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, more particularly described in Schedule A attached hereto.

BEING the same premises as described in a deed dated February 5, 1988 from Anthony Barone to Clarence Gualtieri and Lorraine Gualtieri said deed being recorded in the Office of the Orange County Clerk on February 10, 1988 in Liber 2885 of Deeds at page 207.

ALSO BEING the same premises as described in a deed dated September 19, 2002 from Gilbert Rashbaum to Clarence Gualtieri said deed being recorded in the Office of the Orange County Clerk on October 16, 2002 in Liber 6027 at page 241.

The premises are not in an agricultural district and that the subject premises is entirely owned by the transferor(s).

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the

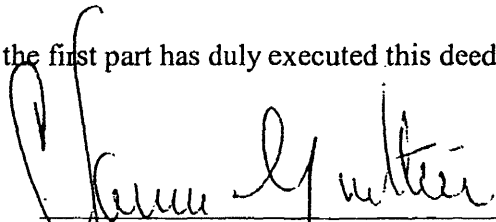
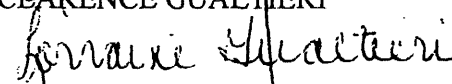
party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Attest


CLARENCE GUALTIERI

LORRAINE GUALTIERI

STATE OF NEW YORK, COUNTY OF ORANGE ss:

On October ^{15th}, 2003 before me, the undersigned, a Notary Public in and for the State, personally appeared CLARENCE GUALTIERI and LORRAINE GUALTIERI personally known to me or proved to be me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity and that by their signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

ALAN J. AXELROD
Notary Public, State of New York
Qualified in Orange County
No. 02AX4520760
Commission Expires November 30, 20 06

DESCRIPTION OF LOTS 9 & 10 COMBINED:

BEGINNING AT A CONC. MONUMENT ON THE WESTERLY LINE OF ROUTE 300, BEING THE SOUTH EAST CORNER OF LOT 10, AND RUNNING THENCE:

- 1.) SOUTH 61°49'50" WEST 482.40 FEET TO A POINT; THENCE:
- 2.) SOUTH 59°16'50" WEST 109.71 FEET TO A POINT ON THE RAILROAD ROW FORMERLY CONRAIL, NOW CSXT; THENCE:
- 3.) NORTH 24°30'00" EAST 198.90 FEET TO A POINT OR CURVATURE; THENCE:
- 4.) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1877.08 FEET AN ARC LENGTH OF 302.86 FEET TO A POINT OF TANGENCY; THENCE:
- 5.) NORTH 41°21'00" EAST 243.39 FEET TO A POINT; THENCE:
- 6.) SOUTH 48°39'00" EAST 50.00 FEET TO A SET REBAR; THENCE:
- 7.) NORTH 41°21'00" EAST 75.60 FEET TO AN "X"-CUT IN STONE; THENCE:
- 8.) SOUTH 04°34'00" EAST 185.10 FEET TO A POINT; THENCE:
- 9.) SOUTH 08°20'00" EAST 185.40 FEET TO THE PLACE OF BEGINNING.

William J. Larkin III
 Alan J. Axelrod
 Paul D. Trachte
 Elliot S. Tetenbaum
 John Ingrassia

Azra J. Khan
 Steven A. Lipton
 Neil S. Davis
 James A. Burke
 John J. Tackach
 Michael Kolb
 Marshall A. Courtney (NY & CT BAR)
 Michael Rubiet
 Robert E. Noe

**LARKIN, AXELROD, TRACHTE
 &
 TETENBAUM, L.L.P.**

ATTORNEYS AT LAW

Visit us at our Web site:
<http://www.Law5141.com>

Vincent A. Henry (NY, PA & D.C. BAR)
 Anthony M. Carolei
 Kathleen V. Wells
 Swathi Vardan
 Gus P. Fotopoulos
 Adam Gerth (NY, NJ, CA, MA & D.C. BAR)
 Paul J. Karp
 Gerard J. Marino
 Wendy L. Nolan (NY & TX BAR)
 Henry Levine
 Regina Fitzpatrick
 Michael F. McCusker
 Gordon E. Kupperstein

Angelo J. Ingrassia
 Of Counsel

TO: MYRA 563-4693
 FROM: ARLENE LUCAS
 RE: JAYBIRD & PARTNERS, INC., Cleo Gualtieri
 Temple Hill Road Property
 DATE: 10/28/03

Hi. Cleo said you need the recording information with regard to combining both the properties in the above matter in order to sign off on the map. I am enclosing a copy of the executed but unrecorded deed. The deed was filed on October 27, 2003 in Liber 11248 of Deeds at page 1878. Please note the squared off portion of the filing receipt from the Orange County Clerk's Office which recites the recording information.

Please call me should you have any questions or need anything further. Thanks.

□ 34 Route 17K
 Newburgh, NY 12550
 (845) 562-3386 • (800) LAW-5141
 Fax (845) 562-0859

■ 356 Meadow Avenue
 Newburgh, NY 12550
 (845) 566-5345
 Fax (845) 566-6834

□ 626 East Main Street
 Middletown, NY 10940
 (845) 342-3386
 Fax (845) 344-4986

10/28/2003 13:27 FAX 8452943530

HARDENBURGH ABSTRACT

LARKIN&ABELKOV

Honorable Donna L. Benson
County Clerk
Orange County
Government Center
Goshen, NY 10924
(845) 291-3062

DATE:10/27/2003
TIME:03:33:41 PM
RECEIPT:178213

HARDENBURGH ABSTRACT CORP.

SAT MTG 03:23:41 PM

FILE:20030137025

BK/PG:11240/1873

FILE:20030137025

BK/PG:11240/1873

GUALTIERI CLARENCE

BARONE ANTHONY

RECORDING FEE

34.00

TAX

0.00

X-REFERENCE FEE

0.50

Sub. Total

34.50

SAT MTG 03:33:41 PM

FILE:20030137026

BK/PG:11240/1876

FILE:20030137026

BK/PG:11240/1876

GUALTIERI CLARENCE

RAGHEBAM GILBERT

RECORDING FEE

31.00

TAX

0.00

X-REFERENCE FEE

0.50

Sub. Total

31.50

DEED 03:33:41 PM

FILE:20030137027

BK/PG:11240/1878

DEED SEQ:003390

GUALTIERI CLARENCE

JAY BIRD & PARTNERS INC

RECORDING FEE

32.00

TAX

0.00

NEW RD-5217

50.00

Deed Filing TP-504

5.00

Sub. Total

92.00

S&L 03:33:41 PM

FILE:20030137028

BK/PG:11240/1882

FILE:20030137028

BK/PG:11240/1882

JAYBIRD & PARTNERS INC

UNION STATE BANK

RECORDING FEE

25.00

TAX

0.00

Sub. Total

25.00

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#1103-2003

12/02/2003

Jaybird & Partners, Inc. [#]03-04

Received \$ 100.00 for Planning Board Fees, on 12/02/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/02/2003


PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189
APPLICANT: GUALTIERE, CLARENCE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/24/2003	2% OF COST EST - INSP FEE	CHG	1623.00		
12/01/2003	REC. CK. #1025	PAID		1623.00	
		TOTAL:	1623.00	1623.00	0.00


12/2/03
-

P.B. #03-04 INSpection fee
JAYBIRD & PARTNERS INC.
 629-8392

1025
 50-597/219
 29

Date Dec 1/03

Pay to the Order of Tore New Windsor \$ 1623.50
six hundred and six hundredths Dollars

UNION STATE BANK
 50 NORTH CHURCH STREET
 GOSHEN, NY 10924

For _____

C/O J. Galtier

⑆021905977⑆ 0290012899⑆ 1025

©2002 American Bank Note Company GUARDIAN SAFETY BLUE INK

12/2/03

M4M.

I DEPOSITED THIS AS 1623.00 -
 WE MAY HAVE A PROBLEM WITH IT SINCE
 IT'S ~~WAS~~ SCAMPTED AS 1,600.23 -

(2)

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/02/2003

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LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189
APPLICANT: GUALTIERE, CLARENCE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/24/2003	SITE PLAN APPROVAL FEE	CHG	100.00		
12/01/2003	REC. CK. #1026	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/02/2003

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LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189
APPLICANT: GUALTIERE, CLARENCE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/10/2003	REC. CK. #4713	PAID		750.00	
03/12/2003	P.B. ATTY. FEE	CHG	35.00		
03/12/2003	P.B. MINUTES	CHG	45.00		
04/23/2003	P.B. ATTY. FEE	CHG	35.00		
04/23/2003	P.B. MINUTES	CHG	22.50		
05/14/2003	P.B. ATTY. FEE	CHG	35.00		
05/14/2003	P.B. MINUTES	CHG	13.50		
11/24/2003	P.B. ENGINEER FEE	CHG	456.00		
12/01/2003	RET. TO APPLICANT	CHG	108.00		
		TOTAL:	750.00	750.00	0.00

L.K. 12/2/03



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE

33 Airport Center Drive

Suite 202

New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mhenry@mhepc.com

Writer's e-mail address:

mje@mhepc.com

MEMORANDUM

(via fax)

21 November 2003

TO: MYRA MASON, PLANNING BOARD SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

**SUBJECT: MINUTEMAN SITE PLAN – COST ESTIMATE
PLANNING BOARD APPLICATION NO. 03-04**

I have reviewed the cost estimate submitted for the subject application. It was completely wrong. Unit quantities and costs were not used in all cases, and the information referenced for the landscaping and lighting did not resemble at all the site plan submitted. Compliance will be expected in the field.

Attached is my markup estimate for purposes of establishing the field inspection fee and addressing the basic items of the site plan.

The inspection fee is \$1626.00

Call if you have any questions.

Mark

REGIONAL OFFICES

- 507 Broad Street • Millford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

AS OF: 11/21/2003

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 3- 4

FOR WORK DONE PRIOR TO: 11/21/2003

TASK-NO	REC	DATE	TRAM	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	DOLLARS		
									EXP.	BILLED	BALANCE
3-4	210073	01/15/03	TIME	MJE	WS MINUTEMAN S/P AM	95.00	0.40	38.00			
3-4	215375	02/19/03	TIME	MJE	WS MINUTEMAN S/P	95.00	0.40	38.00			
3-4	217269	03/11/03	TIME	MJE	MC MINUTEMAN SITE PLAN	95.00	0.80	76.00			
3-4	218532	03/19/03	TIME	MJE	MC L/A COORD	95.00	0.50	47.50			
3-4	218538	03/19/03	TIME	MJE	WS MINUTEMAN S/P	95.00	0.40	38.00			
3-4	222225	04/16/03	TIME	MJE	WS MINUTEMAN S/P	95.00	0.40	38.00			
3-4	222237	04/17/03	TIME	MJE	MC MINUTEMAN S/P	95.00	0.50	47.50			
								323.00			
3-4	221718	04/16/03			BILL 03-483					-237.50	
										-237.50	
3-4	225221	05/13/03	TIME	MJE	MC MINUTEMAN S/P	95.00	0.50	47.50			
3-4	225060	05/14/03	TIME	MJE	MM Minuteman COND APPL	95.00	0.10	9.50			
								57.00			
3-4	225914	05/22/03			BILL 03-631					-142.50	
										-142.50	
3-4	250449	11/21/03	TIME	MJE	MC Cost Est & Memo	95.00	0.80	76.00			
					TASK TOTAL			456.00	0.00	-380.00	76.00
					GRAND TOTAL			456.00	0.00	-380.00	76.00

P.B. # 03-04

TO: MYRA MASON, SECRET

FROM: CLEO GUALTIERI

Post-It® Fax Note	7571	Date	9/2/03	# of Pages	1
To	Mark Edsall	From	Myra		
Co/Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

RESERVE PARKING SIGNS - 1FT BY 1FT 6 IN - 6 EA \$120.00

~~6 @ 150~~ 900
 90.00

POST FOR ABOVE SIGNS - 6 EA

PARKING LOT BLACKTOP & STRIPING 48,000.00 OK

TREES AND SHRUBS 2 BIRCH @ 125 250
 22 Dogwood @ 125 2750
~~10 PINE TREES 1250.00~~ 1500
~~30 BURNING BUSHES 300.00~~

Ceo low plants @ 25

PARKING LOT LIGHTING & CONCRETE - 8 EA ~~6400.00~~ 11000
 11 SINGLE @ 1000 = 6000
 3 DOUBLE @ 2000 = 2500
 FLAG POLE 5 BLG @ 500 = ~~500.00~~

CURBING ⁷⁰⁰ ~~500~~ FT. @ \$12.00 FT. 6000.00 8400

\$ 81,300

@ 2% = 1626.00



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mhenry@mhepc.com

☐ Regional Office
507 Broad Street
Millford, Pennsylvania 18337
(570) 296-2765
e-mail: mhupa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN / VILLAGE OF: New Windsor P/B APP. NO.: _____

WORK SESSION DATE: 3 Sept 03 PROJECT: NEW X OLD _____

REAPPEARANCE AT W/S REQUESTED: No RESUB. REQ'D: new plan

PROJECT NAME: Maintenance YC

REPRESENTATIVES PRESENT: Bob Sears via tele / Cles.

MUNICIPAL REPS PRESENT: BLDG INSP. _____ FIRE INSP. John
ENGINEER X PLANNER _____
P/B CHMN _____ OTHER _____

ITEMS DISCUSSED: Alan Axelrod STND CHECKLIST: PROJECT

can't combine lots. DRAINAGE TYPE

A/B enrich DUMPSTER SITE PLAN

A/B Fdn SCREENING SPEC PERMIT

A/B R LIGHTING L L CHG.

Variances needed (Streetlights) SUBDIVISION

1/3 9/10 LANDSCAPING OTHER

20A 9/22 BLACKTOP ROADWAYS

20A 10/27 APPROVAL BOX

1/3 11/12 PROJECT STATUS:

ck Pks on each side of line ZBA Referral: _____ Y _____ N

WorksessionForm.doc 9-02 MJE Ready For Meeting _____ Y _____ N

Recommended Mtg Date _____



RESULTS OF P.B. MEETING OF: May 14, 2003

PROJECT: Ministeman S.P. & Spec. Permit P.B. # 03-04

LEAD AGENCY:

NEGATIVE DEC:

AUTHORIZE COORD. LETTER: Y N

M) _____ S) _____ VOTE: A _____ N _____

TAKE LEAD AGENCY: Y N

CARRIED: Y N

M) S) VOTE: A N

CARRIED: Y N

PUBLIC HEARING:

WAIVED: _____ CLOSED: _____

CLOSED:_____

M) _____ S) _____ VOTE: A _____ N _____

SCHEDULE P.H.: Y _____ N _____

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: Y _ N

APPROVAL:

M) L S) B VOTE: A 5 N 0

APPROVED: 5/14/03

NEED NEW PLANS: Y N

CONDITIONS – NOTES:

[illegible]

MINUTEMAN RESTAURANT SUPPLY & RENTALS (03-04)

Mr. Clarence Gualtiere appeared before the board for this proposal.

MR. PETRO: Proposed new construction four stores for rentals on vacant property, plan proposes construction of 9,490 square feet of new commercial building. Plan was previously reviewed at the 12 March, 2003 and 23 April, 2003 planning board meetings. This is a C Zone, laundromat, you're still sticking with the laundromat?

MR. GUALTIERE: Yes.

MR. PETRO: That's a special use permit, we had you require a public hearing.

MR. GUALTIERE: Right, did that.

MR. PETRO: Bulk information is correct, all uses have indicated bulk requirements. Only outstanding issue is DOT approval, we now have a letter of approval. It's my belief that the application is ready for approval with the following conditions, applicant should submit verification of lot merger to the planning board attorney. Andy, do you have that yet?

MR. KRIEGER: No, not yet and I will need, I want you to submit it twice cause I'm going to check it as to form, planning board engineer will check the metes and bounds description, so you need to submit two, one to me, one to him.

MR. GUALTIERE: No problem.

MR. PETRO: No work shall be performed in the DOT right-of-way until a permit is obtained. Mark, I assume your referring to the new one that he's adding?

MR. EDSALL: Right, he can use the current entrance, that comment is one of DOT's requirements.

MR. GUALTIERE: I'm waiting to, I'm just waiting for the permit. I talked to them the other day so I can drop stone, I'm not going to use the other driveway,

I'm going to ruin my driveway.

MR. PETRO: It has nothing to do with the existing drive or your business.

MR. GUALTIERE: Right.

MR. PETRO: And a bond estimate shall be submitted in accordance with Chapter 19 of the Town Code. Other than that, unless any of the members have anything to add to the plan itself we've reviewed it a number of times, except for hearing back within the 30 days, and we just waited for the DOT to make their comment, we had given you an option to go with either way on the plan.

MR. GUALTIERE: Yes.

MR. PETRO: So now we know which way we're going and that's final. Again, we have Fire approval on 3/10/2003 and now we have Highway on 3/10/2003. That's it. DOT is 5/13/2003. Mark, do you have anything else?

MR. EDSALL: We're done with SEQRA, right?

MS. MASON: Done.

MR. EDSALL: No, I would just, when you do grant the approval, make sure that you're giving both site plan and special permit approvals.

MR. PETRO: Motion for final approval for Minuteman Restaurant and Supply.

MR. LANDER: So moved.

MR. PETRO: And the special use permit as required.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded. Is there any further comments from any of the board

May 14, 2003

19

members? And I read in your subject-to's prior, you're going to have to get the lot merged and the DOT right-of-way permit and the bond estimate.

MR. GUALTIERE: Okay.

MR. PETRO: No other comment, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE



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JAMES M. FARR, P.E. (NY & PA)

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Suite 202

New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mhenry@mhepc.com

Writer's e-mail address:

mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS SITE PLAN
(FOUR RETAIL STORES AND LAUNDROMAT ADDED TO SITE)

PROJECT LOCATION: 179 TEMPLE HILL ROAD (NYS RT. 300)
SECTION 68 – BLOCK 2 – LOTS 9 & 10

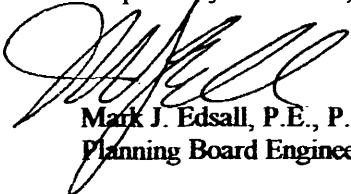
PROJECT NUMBER: 03-04

DATE: 14 MAY 2003

DESCRIPTION: THE PLAN PROPOSES THE CONSTRUCTION OF 9490 SF OF NEW
COMMERICAL BUILDING (7990 RETAIL + 1500 LAUNDROMAT)
ADJOINING THE EXISTING RESTAURANT/CATERING BUSINESS. THE
PLAN WAS PREVIOUSLY REVIEWED AT THE 12 MARCH 2003 AND 23
APRIL 2003 PLANNING BOARD MEETINGS.

1. The property is located in the Design Shopping (C) zoning district of the Town. The existing restaurant and catering uses are use A-18 of the zone. The proposed retail use is use A-1 of the zone and the Laundromat is use B-2 (Special Permit) in the zone. The "required" bulk information is correct (all uses have the identical bulk requirements).
2. The only outstanding issue was DOT approval. We now have an approval letter. It is my belief that the application is ready for approval, with the following conditions (and any other of the Board):
 - a. The applicant should submit verification of the lot merger to the Planning Board Attorney.
 - b. No work should be performed in the DOT right-of-way until a permit is obtained.
 - c. A bond estimate be submitted for this Site Plan in accordance with Chapter 19 of the Town Code.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

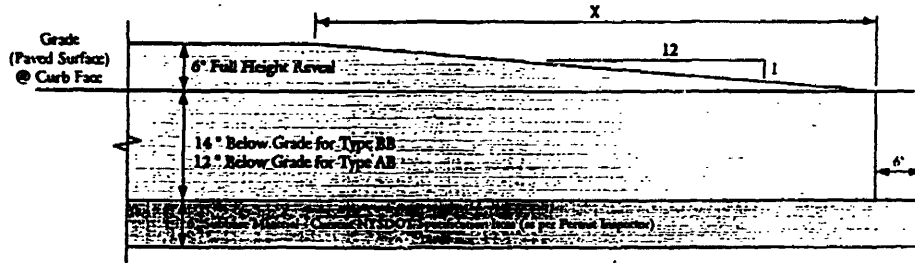
MJE/st

NW03-04-14May03.doc

REGIONAL OFFICES

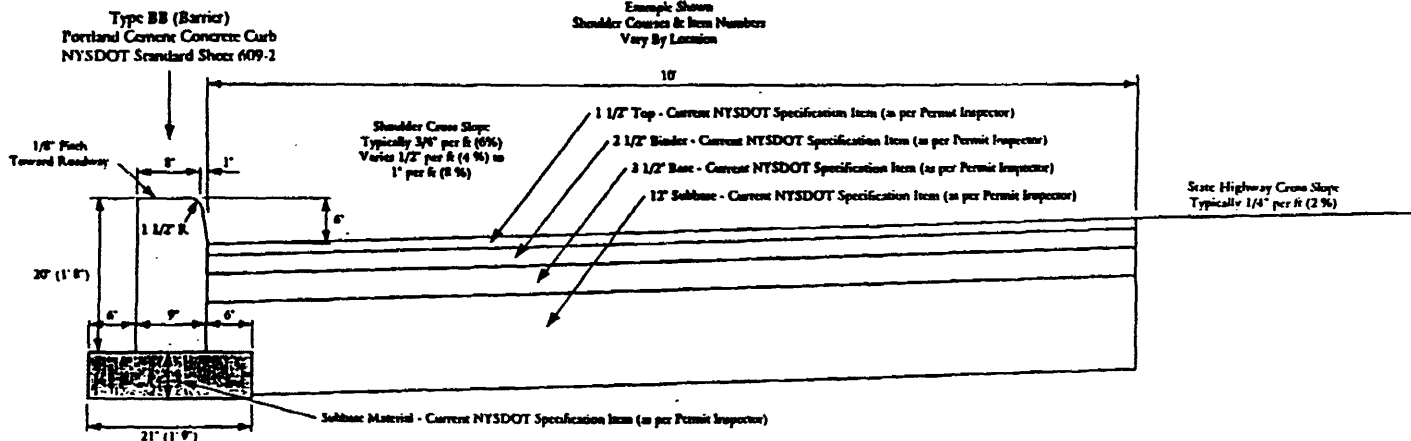
- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
• 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

Curb Terminal
 NYSDOT Standard Sheet 609-2



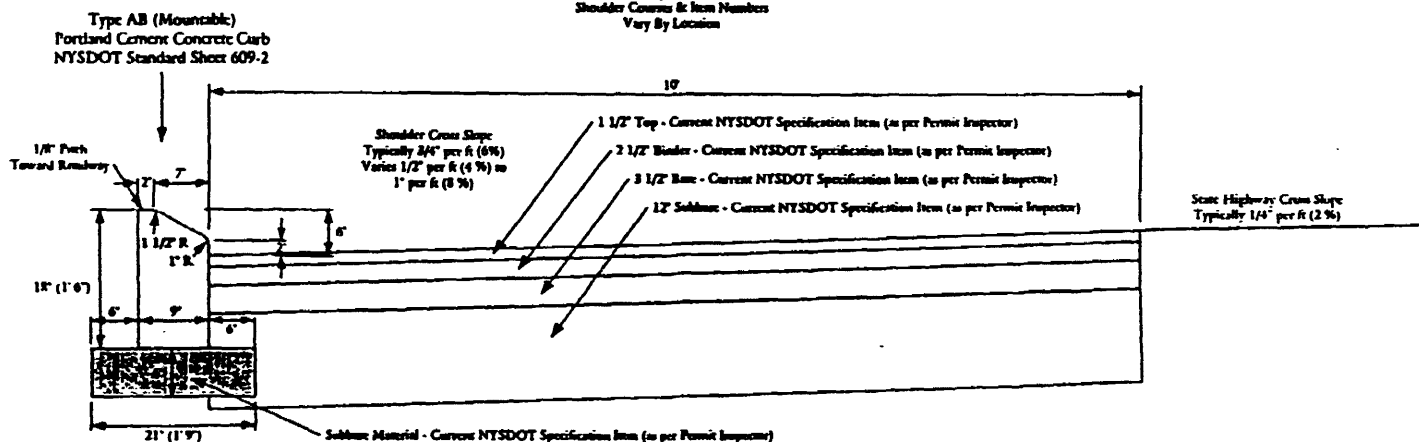
Curb & Shoulder Detail

Example Shown
 Shoulder Courses & Item Numbers
 Vary By Location



Curb & Shoulder Detail

Example Shown
 Shoulder Courses & Item Numbers
 Vary By Location



JUN 23 2003

Application is hereby made for a highway work permit:

For Joint application, name and address of Second Applicant below:

Name Cleo Gualtieri
Address 171 Temple Hill Rd.
City New Windsor State N.Y. Zip 12584
Federal I.D. No. or Social Security No. 112-48 5937
Applicant Telephone No. 845-565 7896
Contact person in case of emergency _____
Telephone No. of contact person _____

Name _____
Address _____
City _____ State _____ Zip _____
Project Identification No. 8014175
Highway Work Permit No. _____

RETURN PERMIT TO (If different from above):

RETURN OF DEPOSIT/BOND TO (Complete only if different from permittee):

Name Cleo Gualtieri
Address P.O. Box 157
City Vail Gates State N.Y. Zip 12584

Name _____
Address _____
City _____ State _____ Zip _____

- Estimated cost of work being performed in state highway right-of-way \$ _____
- Anticipated duration of work: From _____ 20 _____ thru 10/1 20 03 to apply to the operation(s) checked on the reverse side.
- Protective Liability Insurance covered by Policy No. 32-E7-4696 - 9F : expires on 10/1 20 03
- A \$20.00 fee will be charged for checks returned by the bank.

PROPOSED WORK (Brief description):

Crews. Cut, 179 Temple hill
Rd. New Windsor For Minuteman Rest.
Supply Co. Plot for Utility Work Except Applies
No Lane closures. Use Attached curb details

ATTACHED: Plans ☒ Specifications ☒ LOCATION: State Route 300 State Highway 982-E
between Reference Marker: 300 8302 1124 and Reference Marker _____
Town of: New Windsor County of: Orange

SEQR REQUIREMENTS (Check appropriate item):

☐ Exempt ☐ Ministerial ☐ Type 11 ☐ EIS or DEIS Lead Agency _____

If project is identified to be ministerial, exempt, or TYPE 11, no further action is required.

If project is determined to be other than ministerial, exempt, or TYPE 11, refer to M.A.P.7.12-2, Appendix A SEQR REQUIREMENTS FOR HIGHWAY WORK PERMITS.

Acceptance of the requested permit subjects the permittee to the restrictions, regulations and obligations stated on this application and on the permit.

Applicant Signature Cleo Gualtieri Date Apr. 24/03 20 _____

Second Applicant Signature _____ Date _____ 20 _____

Approval recommended 5/20 20 03 By Resident Engineer Richard A. Burns Residency No. 8-4

Approved JUN 30 2003 20 _____ By Regional Traffic Engineer W. D. FitzPatrick Region No. 8

PERMIT IS ISSUED CONTINGENT UPON LOCAL REQUIREMENTS BEING SATISFIED.

1E471UN PERM-33(8/01)

CHECK TYPE OF OPERATION	Permit Fee	Insurance Fee	Perm 17 or Under Taking	Total Amount of Fee and/or Insurance	Guarantee Deposit and/or Bond Amount
5. <input checked="" type="checkbox"/> Single job – Permit issued for each job					
a. <input checked="" type="checkbox"/> Driveway or roadway					
1. <input type="checkbox"/> Residential	\$ 15	\$ 25			
2. <input checked="" type="checkbox"/> Commercial – Minor	550	175			
a. <input type="checkbox"/> Home Business	100	75			
3. <input type="checkbox"/> Commercial – Major – (Less than 100,000 square feet Gross Building Area)	1400	N/A			
4. <input type="checkbox"/> Commercial – Major – (100,000 square feet Gross Building Area and Greater)	Actual cost with Minimum of \$2000 upon permit app.	N/A			
5. <input type="checkbox"/> Subdivision Street	900	N/A			
6. <input type="checkbox"/> Temporary access road or street	200	150			
b. <input type="checkbox"/> Improvement					
1. <input type="checkbox"/> Residential	15	25			
2. <input type="checkbox"/> Commercial					
Check additional description below:					
a. <input type="checkbox"/> Install sidewalk, curb paving, stabilized shoulder, drainage, etc.	200	150			
b. <input type="checkbox"/> Grade, seed, improve land contour, clear land of brush, etc.	100	75			
c. <input type="checkbox"/> Resurface existing roadway or driveway	50	50			
d. <input type="checkbox"/> Annual resurfacing of residential and commercial roadways or driveways.					
1. <input type="checkbox"/> Per County	150	N/A			
2. <input type="checkbox"/> Per Region	400	N/A			
c. <input type="checkbox"/> Tree Work					
1. <input type="checkbox"/> Residential	15	25			
2. <input type="checkbox"/> Commercial (not required for pruning if utility has annual maintenance permit)	25	50			
Check additional description below:					
a. <input type="checkbox"/> Removal or planting					
b. <input type="checkbox"/> Pruning, applying chemicals to stumps, etc.					
3. <input type="checkbox"/> Vegetation control for advertising signs	150/sign	75			
d. <input type="checkbox"/> Miscellaneous Construction					
1. <input type="checkbox"/> Beautifying ROW – (for Civic Groups only)	NC	25			
2. <input type="checkbox"/> Temporary signs, banners, holiday decorations					
a. <input type="checkbox"/> Not-for-profit organizations	NC	25			
b. <input type="checkbox"/> Organizations other than not-for-profit	25	25			
3. <input type="checkbox"/> Traffic control signals	500	175			
4. <input type="checkbox"/> Warning and entrance signs	25	50			
5. <input type="checkbox"/> Miscellaneous – Requiring substantial review	400	175			
6. <input type="checkbox"/> Miscellaneous	25	50			
6. <input type="checkbox"/> Encroachment caused by D.O.T. acquisition of property	25	50			
7. <input type="checkbox"/> Compulsory permit required for work performed at the request of D.O.T.					
a. <input type="checkbox"/> Building demolition or moving requested by D.O.T.	NC	25			
1. <input type="checkbox"/> Demolition 2. <input type="checkbox"/> Moving					
b. <input type="checkbox"/> Improvement to meet Department standards	NC	25			
8. <input type="checkbox"/> Miscellaneous	25	25			
9. <input type="checkbox"/> Adopt a Highway	NC	N/A			

Attached
 # 4830
 5/2/03
 550.00
 Exp. 8/25/03
 del

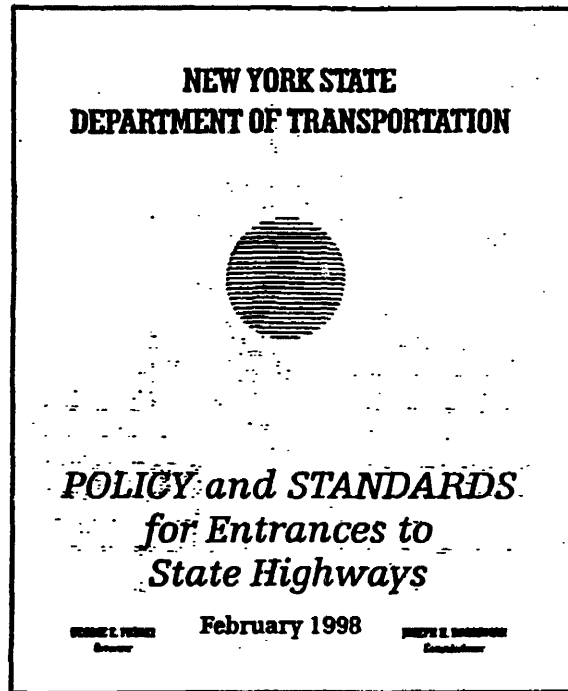
TEAR ON PERFORATION

Guarantee Deposit Check Number or Bond Number _____

PERM 33 (8/01)
REVERSE

MAINTENANCE RESPONSIBILITY

EXCERPT FROM :



3.6 Maintenance Responsibility

Property owners having access to a state highway shall be fully responsible for maintenance of their driveway and channelization including the portion from the highway right-of-way line to the outside edge of the highway shoulder or curbline. This maintenance responsibility includes removal of snow and ice and keeping the portion within the highway right-of-way in a safe condition for the general public. Where the owner of a commercial property is required to construct acceleration, deceleration or turning lanes on the State highway, the Department may, in the interest of public convenience, provide routine maintenance and remove snow and ice on the portions of these lanes constituting an integral part of the State highway. This in no way absolves the property owner of the overall maintenance responsibility for the reconstruction and major repair of these lanes, if necessary.

The property owner shall be responsible for the maintenance of ditches, pipes, catch basins, grates, detention ponds and other drainage structures constructed in connection with providing access to his property unless other legally binding arrangements, acceptable to the Department, are made. All traffic control devices, such as traffic signals, stop and yield signs, one-way or other regulatory signs, pavement markings, delineators etc., installed by the property owner in the highway right-of-way with the permission of the Department, shall conform to the *Manual of Uniform Traffic Control Devices* and, with the exception of traffic signals, be maintained, energized, and replaced by the property owner. Traffic signals installed by the permittee are maintained by the Department for an annual maintenance fee. The Department may, in the interest of public safety or convenience, maintain pavement marking installed by the permittee on the highway. The property owner shall also trim brush and maintain his property in such a manner as to maintain optimal sight distance. A maintenance agreement requiring the owner and his/her successors to maintain the above features specified should be filed with the deed in the County Clerk's office.

The subscribing insurance company issuing a protective liability insurance policy pursuant to A or a motor vehicle insurance policy pursuant to B above, further certifies and agrees that the insurance policy referred to herein shall not be changed or cancelled; unless

1. all trips authorized by the Highway Permit have been made; or
2. the effective period of the Highway Permit has expired; or
3. in the case of a Highway Work Permit, all work authorized has been completed and accepted by the Department of Transportation; or
4. 30 days written notice has been given to the Department of Transportation that the policy will be cancelled.

Any subscribing insurance company providing insurance pursuant to A or B (see front), certifies and agrees that such insurance policy shall not be cancelled until thirty (30) days written cancellation notice has been given the New York State Department of Transportation, indicating the permit applicant's name, permit account number (obtain from permit applicant), address, and policy number. Notice of reinstatement must be made by a reinstatement notice or a completed Certificate of Insurance (PERM 17) and sent to the Department of Transportation to the attention of the Highway Permit Section.

This certificate is furnished in accordance with the rules and regulations of the New York State Department of Transportation pertaining to Highway Permits. Using ONE Certificate of Insurance (PERM 17), please indicate the types of permit(s) obtained from the Highway Permit Section in the Department of Transportation by checking the appropriate box/box(es). A Certificate of Insurance (Perm 17) is the acceptable proof of insurance. A copy of the actual policy is not required. PLEASE DO NOT SEND ACCORD FORMS, INSURANCE CARDS, ETC.

PLEASE CHECK BOX(ES) FOR EACH TYPE(S) OF PERMIT(S) OBTAINED FROM THE DEPARTMENT OF TRANSPORTATION HIGHWAY PERMIT SECTION.

- ☐ RESTRICTED VEHICLE PERMITS (Parkways)
- ☐ SPECIAL HAULING PERMITS (Used for Transporting Over-Dimensional or Over-Weight Non-Divisible Items on Highways ex: mobile homes, equipment, buildings, etc.)
- ☐ DIVISIBLE LOAD WEIGHT (Used for Transporting Over-Weight Divisible Loads on Highways ex: sand, gravel, etc.)
- ☒ WORK PERMITS (Used for Installing or Maintaining Facilities on Highway Property -- coverage in such case shall be written only as protective liability insurance policy) and shall also include completed operations liability insurance with respect to liability imposed by law arising between the date of final cessation of the work pursuant to the Work Permit and the date of final acceptance of such work by the State.

State Farm
Name of Insurance Company
P.O. Box 8000 Ballston
Address of Insurance Company
(518) 884 8000 SpA, NY
Telephone No. of Insurance Company 2020

Phillip Williams
Authorized Signature of Insurance Agent
Phillip Williams
Authorized Name of Insurance Agent (Please Print)
P.O. Box 549, Vails Gate NY
Address of Insurance Agent
845. 563-7100
Telephone No. of Insurance Agent 12584

MISCELLANEOUS DATA:

Operating Authority (check as appropriate -- if permit Applicant has DOT or ICC authority to operate in New York State, the authority must be identified by number and, if not so authorized, check Private)

☐ Private ☐ DOT Number ☐ ICC Number

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
Highway Permit Section
1220 Washington Avenue
Bldg. 5, Room 311
Albany, New York 12232-0466
(518) 457-1155 1-888-783-1685



PERMIT ACCOUNT NUMBER

If a Permit Account Number has been established for the Permit Applicant, the Account Number must be indicated above.

**CERTIFICATE OF INSURANCE FOR SPECIAL HAULING, DIVISIBLE LOAD WEIGHT
AND HIGHWAY WORK PERMIT INSURANCE REQUIREMENTS**

To be prepared by insurance agent or insurance company

1. Name of Permit Applicant Clarence Gualtieri
(NAME ON INSURANCE CERTIFICATE AND PERMIT APPLICATION MUST BE IDENTICAL - ONE NAME ONLY)
(Note: If DBA, also provide Name of Legal Entity and Copy of "Certificate of Conducting Business under an Assumed Name" that was filed in County Clerk's Office - e.g. John Jones dba Jones Trucking)
2. Address of Permit Applicant 171 Temple Hill
☐ PLEASE CHECK HERE IF THIS IS A CHANGE OF ADDRESS
3. Telephone Number of Permit Applicant 845 565-7891 (Cell 845 629 8392)
4. Name of Permit Applicant Contact Person Same. Adriano
- 5a. Motor Vehicle Liability Policy Number 044-8662-B25-52
Binders, fax copies and unassigned policy numbers valid for 30 days only
- 5b. Effective Date 02/25/03 Expiration Date 8/25/03
The wording "Continuous Until Cancelled" in place of expiration date is acceptable
- 6a. Protective Liability Policy Number 32-E7-4696-9F
Binders, fax copies and unassigned policy numbers valid for 30 days only
- 6b. Effective Date 10/01/02 Expiration Date 10/01/03
The wording "Continuous Until Cancelled" in place of expiration date is acceptable

THIS CERTIFICATE OF INSURANCE WILL SUPERSEDE ALL OTHER CERTIFICATES OF INSURANCE NOW ON FILE WITH THE DEPARTMENT OF TRANSPORTATION; EXCEPT FOR HIGHWAY WORK PERMITS, UNLESS SPECIFICALLY NOTED.

If the Permit Applicant is applying for a Divisible Load Weight Permit, the information must be as it appears on the Applicant's Motor Vehicle Registration.

Liability insurance must be in effect for the full term of the Permit. Expiration of, or lack of, liability insurance automatically terminates the Permit.

Permittees are responsible for providing the Certificate of Insurance to the Department of Transportation, and for renewing the requisite insurance coverage no later than two (2) weeks prior to its expiration in order to renew, to keep in effect, or to obtain a new Highway Permit. Altered certificates will NOT be accepted. Fax copies will be accepted for a period of 30 days only. FAX TO: 518-457-1156. Original Certificate must be received in this office within the 30 day period.

In accordance with Department of Transportation requirements (See NYCRR, Title 17, Part 154), the subscribing insurance company hereby certifies that a protective liability insurance policy (only option for Highway Work Permits) or, in the alternative, a motor vehicle insurance policy and endorsement has been issued to the permit applicant:

- A. if a protective liability insurance policy, for the protection of the People of the State of New York, all municipal subdivisions thereof, and the Commissioner and Department of Transportation, the New York State Thruway Authority, the State Bridge Authority and their officials, officers, and employees as named insureds, (and no other co-insureds), covering bodily injury (including death) with minimum limits of \$500,000 each occurrence and covering property damage with minimum limits of \$100,000 each accident and minimum aggregate annual limits of \$500,000, against actions resulting from use of a Highway Permit by the Permittee or by any person acting by, through or for the Permittee, including omissions and supervisory acts of any of the named insureds; or
- B. if a motor vehicle insurance policy and endorsement, with the People of the State of New York, all municipal subdivisions thereof, and the Commissioner and Department of Transportation, the New York State Thruway Authority, the State Bridge Authority and their officials, officers, and employees as additional insureds under the policy, covering bodily injury (including death) with minimum limits of \$750,000 each occurrence and covering property damage with minimum limits of \$250,000 each occurrence or \$1 million dollars combined single limit each occurrence.

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT

Permit Fee: \$ 550.00
Insurance Fee: \$ 0.00
Total Received: \$ 550.00
Check or M.O. No.: 4830

PERM 17 on file

10/01/2003

Permit No.: 803-0251

Project Identification No.: 10/30/2003

Expiration Date: 982

SH No.: 0.00

Deposit Rec. for \$

Check or M.O. No.:

Dated: / /

0.00

*Permittee:

Estimated Cost of Work Performed in the State Right-of-Way \$

CLARENCE GUALTIERI, INC.

171 TEMPLE HILL ROAD

VAIL'S GATE, NY 12584

att:

Chargeable to Bond No.:

or Undertaking on File: (\$ 0.00)

Billing Address: (Complete if different from above)

Return of Deposit Made Payable to: (Complete if different from Permittee)

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

CURB CUT 179 TEMPLE HILL ROAD, NEW WINDSOR FOR MINUTEMAN REST. SUPPLY CO. NOT FOR UTILITY WORK EXCEPT APPLIES. NO LANE CLOSURES.

USE ATTACHED DETAIL

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. ANYONE WORKING IN THE STATE HIGHWAY RIGHT-OF-WAY IS REQUIRED TO WEAR HIGH VISIBILITY APPAREL (ORANGE/YELLOW) AND HARD HAT.

County - ORANGE

Municipality - NEW WINDSOR

Route # - 300

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit.

Dated at:

Date Signed: POUGHKEEPSIE, N.Y.
07/15/2003

Commissioner of Transportation

By: W.D. FITZPATRICK

IMPORTANT

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY THE RESIDENT ENGINEER,

ROBERT A. FALK

112 DICKSON STREET

(845) 562-4920

NEWBURGH, NEW YORK 12550

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED, SIGNED BY THE PERMITTEE AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this permit has been completed. Refund of deposit or return/release of bond is requested.

DATE

PERMITTEE

AUTHORIZED AGENT (If Any)

Work authorized by this permit has been satisfactorily completed and is accepted. Reverse side of this form must be completed.

- ☐ Refund of Deposit is authorized
- ☐ Return of Bond is authorized
- ☐ Amount charged against Bond may be released
- ☐ Retain Bond for future permits
- ☐ Other

DATE

RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the appropriate box checked.

MINUTEMAN RESTAURANT SUPPLY & RENTALS (03-04)

Mr. Clarence Gualtiere appeared before the board for this proposal.

MR. PETRO: Public hearing, Minuteman Restaurant and Supply and Rentals on Temple Hill Road represented by Mr. Gualtiere. Proposed new construction four stores for rentals on a vacant property. Plan proposes construction of 9,490 square feet of new commercial building adjoining the existing restaurant. Plan was previously reviewed at the 12 March 2003 planning board meeting and is before the board for a public hearing. It's in a C zone, which is permitted use by law. One of the tenants is a laundromat. Bulk table has been corrected as was previously requested. Plan properly notes that the lot will be merged. The applicant should submit verification to the planning board attorney, keep an eye out for that, Andy. The plan now reflects two access points to the site which I believe is a significant benefit to the site. Construction to the access is subject to DOT approval and a permit, we have not heard back from DOT at the time. Correct?

MS. MASON: No.

MR. PETRO: Is the 30 day time period expired?

MS. MASON: For lead agency but not for the technical review.

MR. PETRO: Parking calculation correctly indicates the uses shown on the plan, the appropriate parking requirements per code. Why don't up just go over quickly what we're doing. If there's any additions, I don't think there is any additions from the last time we saw it. Correct?

MR. GUALTIERE: No, except for the laundromat and the entries.

MR. PETRO: We talked about some screening with shrubbery, I see there's some on the plan.

MR. GUALTIERE: Landscape design is on the last page.

MR. PETRO: Do we have anything from Fire? We have Fire approval on 3/10/2003. Okay, I'm going to open it up to the public because we have seen it all a couple times, there's nothing new, I just want to see if there's any input and we'll get back to it. On the third day of April, 2003, 32 addressed envelopes containing public notices were sent out. If there's anyone here who would like to speak for or against this application, be recognized by the Chair, come forward, state your name and address and your concerns. Anyone here who'd like to speak on this application? All right, let the minutes reflect that no one is here to speak on this application. So motion to close the public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing. Is there any further discussion from the board members? If not, roll call.

MR. PETRO: At this time, I'll open it back up to the board for further comment. It's my understanding that I think the only outstanding issue was at the request of this board we asked the applicant to design and plot on the map the second access point on Route 300. The plan was previously resubmitted to us which did work, there was really nothing wrong with the plan, this board felt that it may be a better plan to go with the second access. We did have Fire approval for both plans. We still have Fire approval and the reason I mention that is that we have not heard back from DOT, I believe it's passed 30 days.

MS. MASON: Yes.

MR. PETRO: And I feel that we're now holding up the applicant as this is a time of year when people like to get going. And I'm just trying to come up with a way to accommodate the applicant so there's two things that can happen, A, that the plan would stand on its own

merits as the first plan was that was reviewed which we just have the one access point and in such a case, that happens, the curb cut will be cut off and my estimation that would provide more parking because if you don't have the road going through, you can put more spots which would improve the parking. But you already have plenty of parking, I see it's more than adequate plus quite a bit more than required. If DOT comes through in the meantime and decides that this plan is acceptable, then it's just a moot point. And we can stamp the plan the way it is. So I guess what I'm suggesting is that we go ahead and authorize Mike, I really don't want to do a final approval subject to, I'd rather if you realize that you'd be moving ahead at your own risk by being issued a foundation permit but you'd still be moving along at your own risk in case there's a real problem that arises somehow with the DOT site plan, as I just spelled out, I don't see how that can happen because we did cut it off and go back to the existing curb cut which is on the existing parcel. But as earlier stated, you were going to combine the parcels so you'd have access on both sides. Any of the members have any difficulty or problem with us authorizing Mike to issue a foundation permit under those circumstances? You would have to reappear before this board for a final approval.

MR. GUALTIERE: No problem, don't have a problem.

MR. PETRO: You can get a stop work order at any time for any unknown reason.

MR. GUALTIERE: Don't have a problem at all.

MR. LANDER: Wouldn't DOT have to grant him that second access because the lots aren't joined as one yet?

MR. GUALTIERE: Lots are joined.

MR. PETRO: I already asked earlier we're reviewing it as one lot and that was my concern that if it was two lots, then first if all, he'd have to have access so again that wouldn't solve the problem, but being that's not the case, we're reviewing this as one lot, the lot line is to be removed, therefore he still has access on

the existing lot that's there now so you don't lose either way and in the meantime, he can get his bulldozers going and get started. Motion for lead agency because it was expired.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Minuteman Restaurant. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: That's all we're going to do. Is there any other comment about the plan? I think we've seen it enough, he's complied with everything, there's no future comments from Mark or McGoe, Hauser & Edsall, Eric, so you can check in with Mike in the building department and get a foundation permit, get started and I would assume when we get response from DOT, you'll be on the next agenda and we'll finish it up.

April 23, 2003

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MR. GUALTIERE: Thank you very much.



McGOEY, HAUSER and EDSALL
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS SITE PLAN
(FOUR RETAIL STORES ADDED TO SITE)

PROJECT LOCATION: 179 TEMPLE HILL ROAD (NYS RT. 300)
SECTION 68 – BLOCK 2 – LOTS 9 & 10

PROJECT NUMBER: 03-04

DATE: 23 APRIL 2003

DESCRIPTION: THE PLAN PROPOSES THE CONSTRUCTION OF 9490 SF OF NEW
COMMERICAL BUILDING (7990 RETAIL + 1500 LAUNDROMAT)
ADJOINING THE EXISTING RESTAURANT/CATERING BUSINESS.
THE PLAN WAS PREVIOUSLY REVIEWED AT THE 12 MARCH 2003
PLANNING BOARD MEETING AND IS BEFORE THE BOARD FOR A
PUBLIC HEARING AT THIS MEETING.

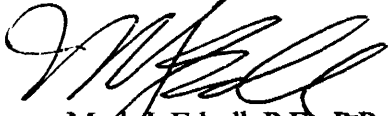
1. The property is located in the Design Shopping (C) zoning district of the Town. The existing restaurant and catering uses are use A-18 of the zone. The proposed retail use is use A-1 of the zone and the Laundromat is use B-2 (Special Permit) in the zone. The "required" bulk information is correct (all uses have the identical bulk requirements). The bulk table has been corrected as previously requested.
2. I have reviewed the resubmittal plan, and have the following comments:
 - a. The plan properly notes that the lots will be merged. As a condition of approval, the applicant should submit verification of the lot merger to the Planning Board Attorney.
 - b. The plan now reflects two access points to the site, which I believe is a significant benefit to the site. Construction of the second access is subject to DOT approval and a permit.
 - c. The parking calculation correctly indicates the uses shown on the plan and the appropriate parking requirements per code.

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3. The Planning Board should verify if a determination regarding the type action this project should be classified under SEQRA has been made, and, if necessary, make a determination regarding environmental significance.
4. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Chapter 19 of the Town Code.
5. Unless new issues are raised, I believe this application could be considered for conditional site plan approval.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW03-04-23Apr03.doc

MINUTEMAN RESTAURANT SUPPLY & RENTALS (03-04)

Mr. Clarence Gualtiere appeared before the board for this proposal

MR. PETRO: This application proposes construction of 9,491, square feet of new retail building adjoining existing restaurant. The plan was reviewed on a concept basis only. This is in a C zone. The existing restaurant and catering uses are A-18 of the zone. The proposed retail use is use A-1 of the zone. The required bulk information is correct. Mark, you're telling us it's a permitted use in the zone? The lots will be combined as far as the application so the bulk table should reflect the total as lot combined, going to just remove the lot line?

MR. EDSALL: The one building overlaps the lot line so since they're--

MR. GUALTIERE: Just going to make it one property.

MR. PETRO: How are you going to do that, by deed?

MR. EDSALL: At the end of the application, they'll have to re-file a single description deed and Andy will check that it's been filed.

MR. PETRO: So we're going to review it as one large parcel?

MR. EDSALL: That's right.

MR. GUALTIERE: Basically, we're going to put in a restaurant supply store to the right of the restaurant and I have three other rentals attached to that.

MR. PETRO: This building is attached to your existing building?

MR. GUALTIERE: No, it's not, it's, I don't know exactly what the footage is away from it.

MR. LANDER: It's 21 feet, Mr. Chairman, I think it's 21 feet.

MR. EDSALL: Eleven feet.

MR. PETRO: Fire inspector's seen that at 11 feet?

MR. BABCOCK: Yes, it's based on construction type, Mr. Chairman.

MR. PETRO: We have approval here, fire approval. This is the first time we're seeing this, just give us a couple minutes, this building will be sprinklered, Mike?

MR. BABCOCK: Yes.

MR. PETRO: Okay, go ahead, I interrupted your presentation.

MR. GUALTIERE: So we're basically using the entrance, the existing entrance there and going in to the right there, there will be no more parking in front of the Minuteman so we'll come in bearing to the right, parking all in front of the new stores and there will be an exit and more parking in the rear of the buildings so we needed I think 67 spots and back out again.

MR. LANDER: Cleo, what's the dumpster going to be made out of in the back?

MR. GUALTIERE: That will be concrete block and a sliding door.

MR. LANDER: I assume that the new building's going to reflect the existing structure that's there or are we going to change or what's your plan on that?

MR. GUALTIERE: On the structure? What do you mean?

MR. LANDER: On the building itself.

MR. GUALTIERE: The building itself is going to be stucco and stone, I have a picture I think with me if you want to see that.

MR. PETRO: Cleo, did you get a copy of Mark's comments cause they're pretty extensive and I'll be honest with you, I don't want to go over every one of these tonight there's so many of them.

MR. EDSALL: I don't think the number of comments is really a reflection on the fact that we're not in fairly good shape with the plans cause what I tried to do is go over it as detailed as I could so they can have a checklist to finish up, there's been a lot of things resolved at the workshop. I think the plan has come a long way since the initial one we looked at. So I would think that if we can get these issues resolved and there's none that are too difficult, the plan would be I think in final form.

MR. PETRO: You know what we can do not to hold you up also is we'll schedule a public hearing and in the meantime, you can correct a lot of these issues that Mark has on this here, you can have the engineer clean them all up. The south side of the site is the existing use, the plan includes the parking lot plan, the plan is either out of scale or the parking spaces are non-conforming since spaces with the widths between 6 and 9 feet are shown with many being 8 feet in width. As requested in the workshop, an accurate depiction of the existing conditions should be made and if problems exist, they should be resolved as part of the site plan. That's an example. So as you go down the list, you can see what needs to be done.

MR. EDSALL: Maybe there's a couple that the board can resolve now. 2C needs some input from the board.

MR. PETRO: A basic issue which I believe the board should evaluate is that of overall access to the site. The plan proposes a single two-way access curb cut at the south end of the site. Is that the one that's existing now? Does the board agree that this is adequate? How many spots do we have on the site proposed?

MR. EDSALL: 58 new, Jim, and 64 or 66 existing parking spaces. So you've got 120, 130 parking spaces in there.

MR. LANDER: So you're looking for another access to this site. Is the state going to give them one?

MR. EDSALL: I don't know. The bottom line is we've had difficulties with the state saying they don't want too many but on the other hand, I wanted to point out that we're accessing off the one same location.

MR. PETRO: He can certainly get one now before he combines the two lots. They would basically have to give him one for the second lot so we can get around that if need be. But let's think about if it's necessary or not because if you do, you're going to lose spots. How many spots are required? How many are you providing?

MR. GUALTIERE: On the plan he's got here 67.

MR. PETRO: Required?

MR. GUALTIERE: Yes.

MR. PETRO: That's for the new addition?

MR. GUALTIERE: New addition.

MR. PETRO: How many provided?

MR. GUALTIERE: Well, if you count the 67 plus what I have.

MR. PETRO: No, not what you have, only for the new building.

MR. GUALTIERE: 67.

MR. PETRO: You're providing 67 and required is 67 so if you put another curb cut, you're going to lose five or six spots and you're going to trigger zoning board.

MR. EDSALL: Jim, actually, the parking calculation is one of my comments. They've got two different numbers, one on the plan, one in the calculation. If you the number on the plan, they only need 64 spaces, so

they've got leeway. I'm not saying we should lose spaces. What I am suggesting if you think the circulation is fine and single access is okay, so be it, but I want a conscious decision, I don't want it to sneak through.

MR. LANDER: All these cars trying to get out this one access we're going to need something down the other end to the northwest would be the most logical place to have it, that's if the state will give it to him. But like Jim pointed out, it's a separate lot right now, they have to give him access and it makes sense to have the extra access, just one is no good.

MR. PETRO: Did you not want the second one for a reason?

MR. GUALTIERE: One of the reasons that I was told that if I had another entrance exit they couldn't go out, they would only be able to go out and make a right-hand turn into the Five Corners mess and only make a left, then we have across the street, I can't think of that road now across the street from that piece there by the railroad tracks.

MR. BABCOCK: Old Temple Hill Road.

MR. GUALTIERE: You know, there's always problems right there. So if that other entrance was up on that end, it would create, you know, I think thought it would create more of a mess.

MR. LANDER: Well, it's is not that all the traffic is going to come out the proposed one, some of the people will go out that way, I think it's a good idea to look at that.

MR. PETRO: Any other members have any comment on that?

MR. KARNAVEZOS: The only comment I have is right in where the two cars start to come in between the existing building and the proposed building, you've only got about 25 feet and like Ron, Mr. Lander said people coming into that one entrance and cars starting to get blocked up, you're going to have a problem with

people trying to actually get into the driveway.

MR. PETRO: Mark, what comments, did you give this any further thought? Did you come up with anything?

MR. EDSALL: On the access?

MR. PETRO: Yeah.

MR. EDSALL: I tend to agree with Tom that you'd, I think if you have a large volume of people trying to get out that single access, you could very easily obstruct it so that anybody who's trying to pull in is going to stage out into the road. Now it's mainly because it's a very shallow curb cut, there's not really like it's a lane where you can have cuing, it's just the width of a curb island, so it's very easy to block that entrance.

MR. KARNAVEZOS: People are going to start to come in like at a 45 and the next person trying to come in from the right is going to be very difficult for him to get in. And the other thing I was noticing too is where the parking spaces are at the angle that they come in is there enough depth right there? What is it, 19 feet in depth of the parking, single parking spot?

MR. BABCOCK: You're talking about the existing parking now?

MR. KARNAVEZOS: No, the proposed parking, what's the depth of the parking spot, 19 feet?

MR. BABCOCK: Yes.

MR. EDSALL: To be honest with you, I think if there's anyplace that makes sense to have another access would be at space 26 on the new site plan and have an access there because you can pull in and access any one of the four retail stores without even going near the restaurant, again an additional access.

MR. PETRO: Yes, additional access.

MR. LANDER: Right turn only, I don't think they're

restricted to right turn only there.

MR. EDSALL: If they do, it gives you another option.

MR. LANDER: Your sight distance isn't that bad, what is it, 45 miles an hour through there?

MR. EDSALL: I think it's down to 40 or 45.

MR. PETRO: I think the site is busy enough, you have enough on it, that's for sure that it should look at another access point. Another thing is if you have a party or catering function that's letting out at a certain time and you have a different business in one of the two stores, I'm going to be cut off for a little while if I want to go in and get a haircut or something else, you're going to have a line.

MR. GUALTIERE: We'll look into it definitely, I mean.

MR. EDSALL: I think it will help the site, to be honest with you.

MR. PETRO: If you have room to lose a few spots and if you're going to reconfigure a few of the spots to get the right calculations, and keep in mind if you don't have enough spots on the new portion being you're going to combine the two lots, you can add some spaces to your existing parking. Normally, you can't do that if it's on a separate lot but being you're moving that line you can. But I'm just trying to keep you away from the zoning board for a couple spots.

MR. GUALTIERE: We'll do that, no problem.

MR. PETRO: I agree with Mr. Lander and Tom, I think that you really need to get another access point to that site. There's a lot going on there, I think it's a good idea and good planning.

MR. PETRO: The board should determine if there are any other involved agencies, which would be New York State DOT. I think lead agency coordination letter. Mark?

MR. EDSALL: I'll ship that right out.

MR. PETRO: Everybody in favor? We'll authorize that now.

MR. KARNAVEZOS: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Board should determine for the record if a public hearing would be required. I would say yes at this point, I'm not going to poll the board because this is a very large, you know, application. It's essentially in Vails Gate, let's have a public hearing, get it out. The grading plan does not appear to indicate any proposed grading and is it necessary I think Mark if you can get the drainage to work on the site, I think that's as far as I think we need to look. I don't think we need a grading plan if the drainage is going to work, you're satisfied with it, I think I'd go with that.

MR. EDSALL: Get some point elevations so we know which way you're going to run everything.

MR. PETRO: Basically, it's a blacktopped piece of property. The landscaping I don't know what you have. Do you have a landscaping plan? I don't think you do.

MR. GUALTIERE: Yes proposed planting and grading plan.

MR. PETRO: Let's see how extensive it is. As long as you have something, Mark, look it over.

MR. EDSALL: It looked like a good job, I just wanted you to look at it.

MR. PETRO: You have on 1/3 of the property a railroad,

parking on the other side and Route 300 in the front so there's not a lot that he can do, but looks like he did a pretty good job.

MR. LANDER: Let's not plant any trees like the state did up by Five Corners so you can't see getting out, you can't walk on the sidewalks because of the limbs. Unbelievable.

MR. GUALTIERE: Yup, they need a chain saw up there.

MR. LANDER: Yeah, that's right.

MR. PETRO: Lighting plan work out with Mark, he's got five or six bullets on the lighting, if you can take care of those, I don't think the board would have a problem with any of them. Okay, clean it up. Motion to have a public hearing.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board--what we're going to do being the lead agency coordination letter is going out, we're going to have to schedule the public hearing 30 days after the letter is sent, obviously, we can't have a public hearing if we haven't heard back but we'll authorize it now.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Minuteman Restaurant supply and rental site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE

March 12, 2003

15

MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS SITE PLAN
(FOUR RETAIL STORES ADDED TO SITE)
PROJECT LOCATION: 179 TEMPLE HILL ROAD (NYS RT. 300)
SECTION 68 – BLOCK 2 – LOTS 9 & 10
PROJECT NUMBER: 03-04
DATE: 12 MARCH 2003
DESCRIPTION: THE PLAN PROPOSES THE CONSTRUCTION OF 9491 SF OF NEW
RETAIL BUILDING ADJOINING THE EXISTING
RESTAURANT/CATERING BUSINESS. THE PLAN WAS REVIEWED
ON A CONCEPT BASIS ONLY.

1. The property is located in the Design Shopping (C) zoning district of the Town. The existing restaurant and catering uses are use A-18 of the zone. The proposed retail use is use A-1 of the zone. The "required" bulk information is correct (all uses have the identical bulk requirements). The "proposed" (provided) values appear to only apply to the single lot, not the combination of the lots. Since the lots are to be combined as part of the application, the bulk table should reflect the total lot as combined.
2. I have reviewed this initial plan as submitted, and have the following comments:
 - a. The application notes only one tax lot. As indicated on the plan, two tax lots are involved, and as a condition of the proposal the lots are to be merged.
 - b. The south side of the site is the "existing uses". The plan includes a parking lot plan. The plan is either out of scale or the parking spaces are non-conforming, since spaces with widths between 6' and 9' are shown, with many being 8' in width. As requested in the workshop, an *accurate depiction* of the existing conditions should be made, and if problems exist, they should be resolved as part of this site plan application.

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- c. A basic issue, which I believe the Board should evaluate, is that of overall access to the site. The plan proposes a single two-way access curb cut at the south end of the site. Do the Board and the applicant agree this is adequate?
- d. Parking spaces in the proposed portion of the site are a little different. In all rows, the end spaces are 12' width, rather than standard 9'. I expect this is for ease of access. If acceptable to the Board, this change can be included. Lengths of parking spaces are all required 19', with the exception of spaces on the north end of the site, which must be corrected.
- e. The parking calculation indicates an area of 9765 s.f. for the retail, with the plan and application indicating 9491 s.f., which I believe is correct. Revise calculation. Adequate parking is shown.
- f. On plan and handicapped detail, "No Parking – Any Time" sign should not obstruct the access aisle and sidewalk/curb drop.
- g. The dumpster enclosure detail on sheet SP.02 should note "finish to match building construction".
- h. The sign detail on sheet SP.02 should note height to sign bottom between 5 – 7 ft.
- i. For sidewalks adjoining pavement, either the sidewalk must be haunched or a curb provided.
- j. I have reviewed the lighting plan. There appears to be acceptable lighting levels. I have the following comments regarding lighting:
 - I have difficulty reading the identification symbol on the plan to determine which fixture is intended in each location.
 - The plan should include a clear indication of the mounting height for all fixtures.
 - There are no fixtures proposed on the front of the building? (fixtures are shown on the elevation).
 - Are cutoff shields proposed on all fixtures.
 - The Board should note that lighting proposed is metal halide.
- k. The grading plan does not appear to indicate any proposed grading. Is any necessary?
- l. The landscaping density appears reasonable. The Board should verify their opinion of the adequacy of the landscaping treatment.
- m. The floor plan should not be part of the submittal set.

- 3. The Board should determine if there are any other involved agencies under SEQRA, and either assume the position of Lead Agency or authorize the issuance of a Lead Agency Coordination letter for the project.

4. The Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan, per its discretionary judgment under Paragraph 48-19.C of the Town Zoning Local Law.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st

NW03-04-12Mar03.doc



Public Hearing

RESULTS OF P.B. MEETING OF:

April 23, 2003

PROJECT:

Minuteman Site Plan

P.B. # 03-04

LEAD AGENCY:

NEGATIVE DEC:

AUTHORIZE COORD. LETTER: Y N

M) L S) A VOTE: A 5 N 0

TAKE LEAD AGENCY: Y N

CARRIED: Y N

M) B S) A VOTE: A 5 N 0

CARRIED: Y N

PUBLIC HEARING:

WAIVED:

CLOSED:

M) L S) B VOTE: A 5 N 0

SCHEDULE P.H.: Y N

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: Y N

APPROVAL:

M) S)

VOTE: A N

APPROVED:

NEED NEW PLANS: Y N

CONDITIONS - NOTES:

Lots to be combined

Need D.O.T. Approval for second access

No Public Comment

OK To issue a foundation permit

To return to Board once D.O.T. approves

Need cost



LEGAL NOTICE



NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on **April 23rd, 2003** at 7:30 P.M. on the approval of the proposed Site Plan for **Minuteman Restaurant Supply & Rentals**

Located at **179 Temple Hill Road** (Tax Map #Section **68**, Block **2**, Lot **10**) .

Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: April 3, 2003

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

March 6, 2003

Cleo Gualtieri
171 Temple Hill Rd
New Windsor, NY 12553

Re: 68-2-10

Dear Mr. Fayo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property. Parcels marked with one asterisk (*) represent abutting parcels.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley
Sole Assessor

JTW/jjl
Attachments

CC: Myra Mason, ZBA

68-1-2
County Of Orange
255-275 Main St.
Goshen, NY 10924

68-2-8.2 & 65-2-4
New York Central Lines, LLC
C/o CSX
500 Water Street (J-910)
Jacksonville, FL. 32202

68-3-3*
Phillip I. Williams
P.O. Box 549
Vails Gate, NY 12584

68-1-6
Herbert & Justa Livingstone
P.O. Box 497
Vails Gate, NY 12584

68-2-9*
Clarence Gualtieri
P.O. Box 157
Vails Gate, NY 12584

68-3-4 68-3-5
Wayland H. & Joy C. Sheafe
1661 Little Britian Road
Roack Tavern, NY 12575

68-1-7.1
P&J Properties LLC
C/o John Leonetti
50 Mertes Lane
New Windsor, NY 12553

68-2-11.12*
Fall Fittings Inc.
380 Route 208
New Paltz, NY 12561

68-3-6
Anthony & Gemma Tornatore
82 Continental Drive
New Windsor, NY 12553

68-2-1
Frank A. & Lois A. Morey
3 Mertes Lane
New Windsor, NY 12553

68-2-12.11
Sy Realty Corporation
135 Pinetree Road
Monroe, NY 10950

68-3-7.1 & 68-3-7.22
Walter L. & Louella Nichols
P.O. Box 579
Vails Gate, NY 12584

68-2-2.1
Marcia J. Sherwood
P.O. Box 7041
Newburgh, NY 12550

68-2-12.12
Sy Realty Corporation
550 Hamilton Ave.
Brooklyn, NY 11232

68-3-7.21
David B. & Elizabeth A. Betrix
P.o. Box 462
Vails Gate, NY 12584

68-2-2.2 & 68-2-7
James Mc Grane
P.O. Box 7041
Newburgh, NY 12550

68-2-12.22
Eric D. Strober & John Yankulis
C/o Temple Hill Property
550 Hamilton Ave.
Brooklyn, NY 11232

68-3-8 & 68-3-11
Strategic Office, LLC.
10 Whitesails Drive
Newburgh, NY 12550

68-2-3
Reyes & Eliazar Solis
39 Mertes Lane
New Windsor, NY 12553

68-2-13.22
James H. & Phyllis C. Duffy
Box 214
Vails Gate, NY 12584

68-3-9
Eugene L. & Ruth Andrews
P.O. Box 114
Vails Gate, NY 12584

68-2-4
Pedro J. & Ana N. Lugo
43 Mertes Lane
New Windsor, NY 12553

68-2-17
Veterans Memorial Grove Assoc.
P.O. Box 194
Vails Gate, NY 12584

68-3-10
Paula Martino
11 Buttonwood Drive
New Windsor, NY 12553

68-2-5 & 68-2-6
Isidora Casas
P.O. Box 469
Vails Gate, NY 12584

68-3-1
Thomas & Kathleen E. Manning
2 Creek Run Rd.
Newburgh, NY 12550

68-3-12
Antonio & Giencinto De Dominicis
P.O. Box 327
Cornwall, NY 12518

68-2-8.1
Erie Properties Corp.
401 South Water Street
Newburgh, NY 12550

68-3-2*
Mani M. Inaganti
P.O. Box 787
Vails Gate, NY 12584

65-2-12.1
WVR Real Estate II LLC.
4 Coates Drive Suite 1
Goshen, NY 10924

65-2-41 & 65-2-42
Arthur D. Stokdale
26 Krjste Lane
Jericho, VT 05465

71-1-64
Dominick S. Parise
53 Highview Ave.
Newburgh, NY 12550



PROJECT: Minuteman Restaurants & Supply P.B. # 03-04

NEGATIVE DEC:

M)____S)____VOTE: A____N____
CARRIED: Y____N____

M)____S)____VOTE: A 5 N 0
CARRIED: Y ✓ N _____

M) _____ S) _____ VOTE: A 5 N 0 SCHEDULE P.H.: Y ✓ N _____

REFER TO Z.B.A.: M)_____S)_____ VOTE: A_____N_____

RETURN TO WORK SHOP: Y__N__

M) S) VOTE: A N APPROVED:

NEED NEW PLANS: Y___ N___

CONDITIONS – NOTES:

Combine Lots

Possible two access drives? Check on it.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#249-2003

03/14/2003

Clarence & Lorraine Gualtieri, Inc.

**Received \$ 200.00 for Planning Board Fees, on 03/14/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

P.B.#03-04
Spec. Permit
Application fee

CLARENCE & LORRAINE GUALTIERI INC.
D/B/A MINUTE TAVERN
171 TEMPLE HILL RD. 565-7896
VAILSGATE, NY 12584

4744

59-693/219

March 14 2003

Pay to the
Order of Dean of New Windsor
Two Hundred

\$ 200

Dollars

KEY BANK
KEY BANK OF NEW YORK N.A.
ROUTE 32
VAILSGATE, NY 12584
VAILSGATE OFFICE

For

Signed Clarence Gualtieri

⑆004744⑆ ⑆021906934⑆ 02⑆423853⑆8⑆

LAN

LAN ASSOCIATES

ENGINEERING ■ PLANNING ■ ARCHITECTURE, LLP
252 MAIN STREET, GOSHEN, N.Y. 10924

845-615-0350 FAX ■ 845-615-0351

March 10, 2003

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Subject: Minute Man Tavern/Restaurant
Supply/Rental Addition at
171 Temple Hill Rd, New Windsor
LAN Ref. #4.153.1

Attn: Mr. Robert Rogers, Town of New Windsor Fire Inspector,
Mr. Mark Edsell of McGoey, Hauser & Edsell, Town of New Windsor Engineer
& Town of New Windsor Planning Board Members

To Whom it May Concern:

Please be advised that a new six-inch (6") sprinkler main will be installed at the above captioned project for future installation of sprinkler system. The new main will cross the road and extend to the property in question. The new main shall be provided with a new six-inch (6") valve for the proposed development. A 6" x 6" x 4" tee shall be installed on the six inch (6") main and provide service for a future fire hydrant and 4" fire service to the new building.

Very truly yours,

LAN Associates, Engineering,
Planning, Architecture, LLP (LAN)


Michael J. McGovern, RA

MJM:afc \\nyers1\Projects\100-LAN\LP0100-01990153.153.1\Adm\mt_Letter\LAN_Fin\031003.doc3/10/2003 4:46 PM

cc: Mr. & Mrs. Cleo Gualtieri
File #4.153.1 - NY

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/10/2003

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189

APPLICANT: GUALTIERE, CLARENCE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/10/2003	REC. CK. #4713	PAID		750.00	
			-----	-----	-----
		TOTAL:	0.00	750.00	-750.00



P.B. # 03-04 Application Fee

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#225-2003**

03/11/2003

Clarence & Lorraine Gualtieri, Inc.

**Received \$ 100.00 for Planning Board Fees, on 03/11/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/10/2003

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 3-4

NAME: MINUTEMAN RESTAURANT SUPPLY & RENTALS PA2002-1189
APPLICANT: GUALTIERE, CLARENCE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/10/2003	REC. CK. #4713	PAID		750.00	
			-----	-----	-----
		TOTAL:	0.00	750.00	-750.00



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: _____ FIRE INSPECTOR, _____ WATER DEPT.,
XX SEWER DEPT., _____ HIGHWAY DEPT.

P.B. FILE #03-04 DATE RECEIVED: 03-10-2003

PLEASE RETURN COMPLETED FORM TO MYRA BY: 03-12-03

THE MAPS AND/OR PLANS FOR:

MINUTEMAN RESTAURANT & SUPPLY

Applicant or Project Name

SITE PLAN XX, SUBDIVISION _____, LOT LINE CHANGE _____,
SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☐ APPROVED:

Notes: _____

☒ DISAPPROVED:

Notes: NO UTILITY DETAIL

Signature: _____

Reviewed by:

Date

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

□ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhpc.com

Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor **P/B APP. NO.:** 03 - 04
WORK SESSION DATE: 19 MAR 03 **PROJECT:** NEW OLD ☒
REAPPEARANCE AT W/S REQUESTED: No **RESUB. REQ'D:** new plan
PROJECT NAME: Minute Man Restaurant S/P
REPRESENTATIVES PRESENT:

MUNICIPAL REPS PRESENT:

BLDG INSP.
ENGINEER
P/B CHMN

FIRE INSP. R. J.
PLANNER _____
OTHER _____

ITEMS DISCUSSED:

- add exst bldg heated Precipitator
- side pr 33/78+
- show req'd Lt = 33.5
- exst Pk, to be verified

STND CHECKLIST:

DRAINAGE _____

DUMPSTER _____

SCREENING _____

LIGHTING _____

(Streetlights)

LANDSCAPING _____

BLACKTOP _____

ROADWAYS _____

APPROVAL BOX

PROJECT
TYPE

SITE PLAN
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:

ZBA Referral: Y ☒ N

Ready For Meeting New York N

Recommended Mtg Date 12/17.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: _____ FIRE INSPECTOR, XX WATER DEPT.,
_____ SEWER DEPT., _____ HIGHWAY DEPT.

P.B. FILE #03-04 DATE RECEIVED: 03-10-2003

PLEASE RETURN COMPLETED FORM TO MYRA BY: 03-12-03

THE MAPS AND/OR PLANS FOR:

MINUTEMAN RESTAURANT & SUPPLY

Applicant or Project Name

SITE PLAN XX, SUBDIVISION _____, LOT LINE CHANGE _____,
SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: Water available -

☐ **DISAPPROVED:**

Notes: _____

Signature: Steve S. [Signature] 3-12-03
Reviewed by: _____ Date



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: _____ FIRE INSPECTOR, _____ WATER DEPT.,
_____ SEWER DEPT., XX HIGHWAY DEPT.

P.B. FILE #03-04 DATE RECEIVED: 03-10-2003

PLEASE RETURN COMPLETED FORM TO MYRA BY: 03-12-03

THE MAPS AND/OR PLANS FOR:

MINUTEMAN RESTAURANT & SUPPLY

Applicant or Project Name

SITE PLAN XX, SUBDIVISION _____, LOT LINE CHANGE _____,
SPECIAL PERMIT _____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: _____

Reviewed by: _____

Date: 3/10/03

RECEIVED

MAR 10 2003

N.W. HIGHWAY DEPT.

INTER-OFFICE CORRESPONDENCE

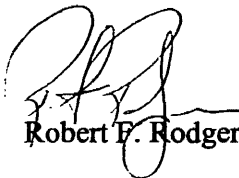
TO: Town Planning Board
FROM: Town Fire Inspector
SUBJECT: Minuteman Restaurant & Supply Site Plan
DATE: 11 March 2003

Planning Board Reference Number: PB-03-04
Dated: 10 March 2003
Fire Prevention Reference Number: FPS-03-08

A review of the above referenced site plan was conducted on 11 March 2003. Additionally, please refer to a letter from Michael J. McGovern, RA regarding the installation of a sprinkler system.

This site plan at this time is acceptable.

Plans Dated: 10 March 2003



Robert F. Rodgers



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhepc.com

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

1-3

TOWN/ VILLAGE OF: New Windsor

P/B APP. NO.: 03-04

WORK SESSION DATE: 19 Feb 2003

PROJECT: NEW X OLD

REAPPEARANCE AT W/S REQUESTED: No

RESUB. REQ'D: Full App

PROJECT NAME: Monte Carlo Restaurant

REPRESENTATIVES PRESENT: Bob Sears (LAN)

MUNICIPAL REPS PRESENT:

BLDG INSP. _____
ENGINEER X
P/B CHMN _____

FIRE INSP. Bob
PLANNER _____
OTHER _____

ITEMS DISCUSSED:

all comments done

App - asg
next avail agenda

STND CHECKLIST:

DRAINAGE ✓

DUMPSTER ✓

SCREENING _____

LIGHTING ✓

(Streetlights)

LANDSCAPING _____

BLACKTOP _____

ROADWAYS _____

APPROVAL BOX _____

PROJECT
TYPE

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER

PROJECT STATUS:

ZBA Referral: _____ Y _____ N

Ready For Meeting X Y _____ N

Recommended Mtg Date next avail



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
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☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN / VILLAGE OF: New Windsor

P/B APP. NO. 02-04

WORK SESSION DATE: 15 Jan 2002

PROJECT: NEW X OLD

REAPPEARANCE AT W/S REQUESTED: Yes

RESUB. REQ'D: Full later

PROJECT NAME: Minuteman Addition

REPRESENTATIVES PRESENT: Bob Sears / Clea

MUNICIPAL REPS PRESENT:

BLDG INSP.
ENGINEER X
P/B CHMN

FIRE INSP. Bob R.
PLANNER
OTHER

ITEMS DISCUSSED:

STND CHECKLIST:

PROJECT TYPE

DRAINAGE ✓

DUMPSTER need add

SCREENING

LIGHTING need plan

(Streetlights) need

LANDSCAPING plan

BLACKTOP ✓

ROADWAYS ✓

APPROVAL BOX need

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER

PROJECT STATUS:

ZBA Referral: Y X N

Ready For Meeting Y X N

Recommended Mtg Date

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan ☒ Special Permit ☒ *CA*

Tax Map Designation: Sec. 68 Block 2 Lot 9 + 10

BUILDING DEPARTMENT REFERRAL NUMBER PA 2002- 1189

1. Name of Project Minuteman Restaurant Supply + Rentals

2. Owner of Record ^{Claro} CLARENCE Gualtieri Phone 565 7896

Address: 171 Temple Hill Rd. Ney 12553
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Same Applicant Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan LAN Associates Phone 615-0350

Address: 252 Main Street. Goshen, NY. 10924
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney ALAN AXELROD Phone 566-5345

Address: 356 Meadow Ave. Newburgh NY.
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Cleo Gualtieri 565 7896 _____
(Name) (Phone) (fax)

7. Project Location: On the _____ side of _____ feet

179 (Direction) of Temple Hill Rd. (Street) (No.)
(Direction) (Street)

8. Project Data: Acreage 2.30 Zone _____ School Dist. _____

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No ✓

***This information can be verified in the Assessor's Office.**

***If you answer yes to question 9, please complete the attached AAgricultural Data Statement.**

10. Description of Project: (Use, Size, Number of Lots, etc.) New construction of 4 store rentals on vacant property.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no ✓

12. Has a Special Permit previously been granted for this property? yes _____ no ✓

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

26 DAY OF Feb 2003

Clarence Guattieri
APPLICANT'S SIGNATURE

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

NOTARY PUBLIC

CLARENCE Guattieri
Please Print Applicant's Name as Signed

TOWN USE RECEIVED
TOWN OF NEW WINDSOR
MAR 10 2003
DATE APPLICATION RECEIVED

03-04

APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Clarence Gualtieri, deposes and says that he resides
(OWNER)
at 171 Temple Hill Rd. in the County of Orange
(OWNER'S ADDRESS)
and State of New York and that he is the owner of property tax map
(Sec. 68 Block 2 Lot 9)
designation number (Sec. 68 Block 2 Lot 10) which is the premises described in
the foregoing application and that he authorizes:

Same
(Applicant Name & Address, if different from owner)

Lan Associates - 252 Main St. - Boshen, NY
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: Feb. 24/03

**Clarence Gualtieri
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this 26th day of February, 2003.

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

Applicant's Signature if different than owner
[Signature]
Representative's Signature

****PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

03-04

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I--PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Clarence Gualtieri & Lorraine Gualtieri		2. PROJECT NAME New Building for Restaurant Supply/Rentals	
PROJECT LOCATION:			
Municipality New Windsor		County Orange	
PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 179 Temple Hill Road New Windsor, NY 12553			
IS PROPOSED ACTION:			
<input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
DESCRIBE PROJECT BRIEFLY: New 9,491 SF building for restaurant supply retail sales with three (3) rental units. Restaurant supply retail sales is 4,230 SF; rental Unit #1 is 2,275 SF and rental Units #2 and #3 are 1,493 SF each.			
AMOUNT OF LAND AFFECTED:			
Initially <u>± 3.6</u> acres Ultimately <u>± 3.6</u> acres			
WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?			
<input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other			
Describe:			
3. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals			
1. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
2. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: <u>LAN Associates, EPA, LLP</u>			
Signature: <u>Michael J. McGovern, RA</u>			
Date: <u>2/25/03</u>			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

03-04

ART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly

RT III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date



ENGINEERING ■ PLANNING ■ ARCHITECTURE, LLP
252 MAIN STREET, GOSHEN, N.Y 10924

845-615-0350

FAX ■ 845-615-0351

February 25, 2003

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Subject: A/E Services –
Restaurant Supply/Rental Addition
171 Temple Hill Rd, New Windsor
LAN Ref. #4.153.1

To Whom It May Concern:

The parcels of land located at 171 and 179 Temple Hill Road, New Windsor, New York 12553, shown on the Town of New Windsor Tax Map as Section 68, Block 2, Lot 10 and Section 68, Block 2, Lot 9 are not located in flood zones.

Very truly yours,

LAN Associates, Engineering,
Planning, Architecture, LLP (LAN)



Michael J. McGovern, RA

MJM:jah \\Nyerv1\project\100-LAN LLP\0100-01990153153 1\Admin\Letters\LAN\Planning\022503 doc\25/2003 1 35 PM

cc: Mr. & Mrs. Cleo Gualtieri
File #4.153.1 - NY

03-04

TOWN OF NEW WINDSOR PLANNING BOARD**SITE PLAN CHECKLIST****ITEM**

1. X Site Plan Title
2. X Provide 4" wide X 2" high box **(IN THE LOWEST RIGHT CORNER OF THE PLAN)** for use by Planning Board in affixing Stamp of Approval. **(ON ALL PAGES OF SITE PLAN).**

SAMPLE:

3. X Applicant's Name(s)
4. X Applicant's Address
5. X Site Plan Preparer's Name
6. X Site Plan Preparer's Address
7. X Drawing Date
8. Revision Dates
9. X Area Map Inset and Site Designation
10. Properties within 500' of site
11. Property Owners (Item #10)
12. Plot Plan
13. X Scale (1" = 50' or lesser)
14. X Metes and Bounds
15. X Zoning Designation
16. X North Arrow
17. Abutting Property Owners
18. X Existing Building Locations
19. X Existing Paved Areas
20. X Existing Vegetation
21. X Existing Access & Egress

PROPOSED IMPROVEMENTS

- | | | |
|-----|-------------------|-------------------------------------|
| 22. | <u> X </u> | Landscaping |
| 23. | <u> X </u> | Exterior Lighting |
| 24. | <u> </u> | Screening |
| 25. | <u> X </u> | Access & Egress |
| 26. | <u> X </u> | Parking Areas |
| 27. | <u> X </u> | Loading Areas |
| 28. | <u> X </u> | Paving Details (Items 25 - 27) |
| 29. | <u> X </u> | Curbing Locations |
| 30. | <u> X </u> | Curbing through section |
| 31. | <u> </u> | Catch Basin Locations |
| 32. | <u> </u> | Catch Basin Through Section |
| 33. | <u> </u> | Storm Drainage |
| 34. | <u> X </u> | Refuse Storage |
| 35. | <u> </u> | Other Outdoor Storage |
| 36. | <u> </u> | Water Supply |
| 37. | <u> </u> | Sanitary Disposal System |
| 38. | <u> X </u> | Fire Hydrants |
| 39. | <u> X </u> | Building Locations |
| 40. | <u> X </u> | Building Setbacks |
| 41. | <u> X </u> | Front Building Elevations |
| 42. | <u> </u> | Divisions of Occupancy |
| 43. | <u> </u> | Sign Details |
| 44. | <u> X </u> | Bulk Table Inset |
| 45. | <u> X </u> | Property Area (Nearest 100 sq. ft.) |
| 46. | <u> X </u> | Building Coverage (sq. ft.) |
| 47. | <u> X </u> | Building Coverage (% of total area) |
| 48. | <u> </u> | Pavement Coverage (sq. ft.) |
| 49. | <u> </u> | Pavement Coverage (% of total area) |
| 50. | <u> </u> | Open Space (sq. ft.) |
| 51. | <u> </u> | Open Space (% of total area) |
| 52. | <u> X </u> | No. of parking spaces proposed |
| 53. | <u> X </u> | No. of parking spaces required |

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, AIS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. _____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
55. X _____ A disclosure Statement, in the form set below, must be inscribed on all site plan maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

APrior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasee shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: _____

Licensed Professional

Date

3/28/03

※ ※ ※ ※ ※ ※

PLEASE NOTE:

※ ※ ※ ※ ※ ※

THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**